

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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CLAUS PETER SPETH,

Plaintiff,

v.

ROBERT GOODE, GEETHA  
NATARAJAN, RICHARD T. CARLEY,  
MARSETTA LEE, JOHN/JANE DOE,  
AND ATTORNEY GENERAL OF THE  
STATE OF NEW JERSEY

Defendants.

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HON. JEROME B. SIMANDLE

Civil Action  
No. 95-0264 (JBS)

**ORDER**

This matter having come before the Court upon on Defendants' motion to dismiss the case [Docket Item 82]; the Court having considered the submissions of the parties; for the reasons explained in the Opinion of today's date; and for good cause shown;

IT IS this 23rd day of **June, 2010** hereby

ORDERED that the stay with respect to Counts II and III is **LIFTED**; and it is further

ORDERED that the motion to dismiss is **GRANTED IN PART and DENIED IN PART**. The motion is granted with respect to the § 1983 claims accruing before January 5, 1993, which are **DISMISSED**. The motion is denied with respect to Plaintiff's claim regarding refusal to train in Counts II and III; and it is further

ORDERED that any other remaining claims which have been stayed, and for which Plaintiff has shown no basis for lifting

the stay, are deemed abandoned and are **DISMISSED**; and it is further

ORDERED that:

1. All discovery on the remaining claims of failure to offer training in Counts II and III shall be concluded within 45 days.
2. Dispositive motions shall be filed no later than August 15, 2010, or shall be deemed waived.
3. The Final Pretrial Conference will be convened before the undersigned on September 14, 2010 at 10 a.m., unless timely dispositive motions are pending.
4. The jury trial will commence on October 18, 2010 at 9:30 a.m.

**s/ Jerome B. Simandle**  
JEROME B. SIMANDLE  
United States District Judge